IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.1495 OF 2007

Mr.Darshan Kashinath Gharat
and 20 others ..Applicants

Vs.

State of Maharashtra ..Respondents

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Mr.Amol Patankar Advocate for Applicants
Mr.K.V.Saste A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MAY 03, 2007

P.C.

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants are seeking anticipatory bail in C.R.No.14 of 2007 of Nhava Sheva Police Station, Tal.Uran, Dist.Raigad. The said case is mainly under Sections 336, 395 and 143, 147, 148 and 149 of IPC and Section 37(1)(3) and 135 of Bombay Police Act.

3. It is the prosecution case that complainant and applicants belong to rival political parties. It

is the specific case of the prosecution that applicants along with other persons were engaged in rioting and caused injury to one A.S.I. who was on duty. Due to which, he sustained C.L.W. over the right forearm. The injury certificate does not mention that the injury was grievous or dangerous to the life. There is no material to show that on account of said injury, there was any external fracture.

4. It is further the prosecution case that in the said incident, property worth Rs.75,000/- came to be robbed from the wife of the complainant. The learned advocate for the applicants states on instructions that the applicants along with others will deposit an amount of Rs.75,000/- before the Investigating Officer. Looking to the above facts, in my view, the custody of the applicants is not necessary. Hence, I am inclined to grant anticipatory bail to the applicants.

5. In the event of arrest, each of the applicant nos.1 and 2 to be released on bail in the sum of Rs.30,000/- (Rs.thirty thousand only) with one or two sureties to make up the said amount in

C.R.No.14 of 2007 of Nhava Sheva Police Station. The applicants shall report to the concerned Police Station once in a week till the conclusion of trial.

6. In the event of arrest, each of the applicant nos.3 to 21 to be released on bail in the sum of Rs.15,000/- (Rs.fifteen thousand only) with one or two sureties to make up the said amount in C.R.No.14 of 2007 of Nhava Sheva Police Station. The applicants shall report to the concerned Police Station once in a week till the conclusion of trial.

7. Application is disposed of.

[Smt. V.K.Tahilramani, J.]